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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RECEIVED

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MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURTBOBBY LEE HARRISON

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

08CV920

JUDGE KENNELLY

MAGISTRATE JUDGE MASON

vs.

Case No: _____
(To be supplied by the Clerk of this Court)

COUNTY OF COOK, ILLINOISTHOMAS DARTSALVADOR GODINEZCHESTER PLAXICO

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:☒

COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)

☐

COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)

☐

OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

I. Plaintiff(s):

- A. Name: BOBBY LEE HARRISON
- B. Date of Birth: DEC 26 1952
- C. List all aliases: _____
- D. Prisoner identification number: 20040072892
- E. Place of present confinement: COOK COUNTY Jail
- F. Address: 26 1/2 California Ave, Chicago Illinois 60608

(If there is more than one plaintiff, then each plaintiff must list his or her name, date of birth, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: COUNTY OF COOK, ILLINOIS, and THOMAS DART, in his
 Title: individual and official capacities as Sheriff of Cook County Illinois
 Place of Employment: Cook County Jail
- B. Defendant: SALVADOR GODINEZ, in his individual and official capacities as
 Title: Executive Director of the Cook County Jail
 Place of Employment: Cook County Jail
- C. Defendant: CHESTER PLAXICO, in his individual and official capacities as
 Title: Superintendent of Division 10 & Division 2
 Place of Employment: COOK COUNTY

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

III. Exhaustion of Administrative Remedies

You are required to exhaust all your available administrative remedies before bringing an action in federal court.

A. Is there a grievance procedure available at your institution?

YES (☒) NO () If there is no grievance procedure, skip to F.

B. Have you filed a grievance concerning the facts in this complaint?

YES (☒) NO ()

C. If your answer is YES:

1. What steps did you take?

I filed grievance, and refiled requested the next Command

2. What was the result?

It was signed by the Superintendent, and he treated it as
a request

3. If the grievance was not resolved to your satisfaction, did you appeal?
What was the result (if there was no procedure for appeal, so state.)

Yes, I did appeal, Superintendent Plaxico addressed it again

He stated there was a special housing medical division & hospital that

Purpose. I requested to go to the special housing, no response except,
only "Original response stand"

D. If your answer is NO, explain why not:

E. Is the grievance procedure now completed? YES (☒) NO ()

F. If there is no grievance procedure in the institution, did you complain to authorities? YES (☒) NO ()

G. If your answer is YES:

1. What steps did you take?

There is a grievance procedure, but I also complained to
the officials

2. What was the result?

No adequate response

H. If your answer is NO, explain why not:

IV. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court (including the Central and Southern Districts of Illinois):

- A. Name of case and docket number: Bobby Lee Harrison (#2004cv02892)
vs. MR. Horan, & Horan Interprice et al., 06C4730
- B. Approximate date of filing lawsuit: Aug 6
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: ALC
Bobby Lee Harrison
- D. List all defendants: MR. HORAN, ET AL.
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): U.S. District Court, Northern District Illinois
- F. Name of judge to whom case was assigned: SAMUEL DER-YEGHIAYAN
- G. Basic claim made: That State Owner incited the offender to
attack him, John Doe
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): The Case was Dismissed. A motion for recon-
sideration was filed, and it was dismissed also. I wasn't able
to get the proper informations I needed, due to the inadequate Law Libraries.
- I. Approximate date of disposition: 13 OCT. 06.

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

IV. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court (including the Central and Southern Districts of Illinois):

- Bobby Lee Harrison v.
- A. Name of case and docket number: County of Cook, Illinois, and
THOMAS DART, in his official capacity as Sheriff Cook County Jail
- B. Approximate date of filing lawsuit: Jan. 17 2007
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: ACE
First & only Bobby Lee Harrison
- D. List all defendants: COUNTY OF COOK,
THOMAS DART
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): US. STATE DISTRICT COURT FOR THE NORTHERN
DISTRICT OF ILLINOIS
- F. Name of judge to whom case was assigned: THE Honorable Matthew F. Kennedy
- G. Basic claim made: _____
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): This case is still pending
- I. Approximate date of disposition: _____

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

Plaintiff BOBBY LEE HARRISON, Pro se bring this Complaint against the Defendants CAITY OF COOK, Illinois (COOK COUNTY) and THOMAS DART, in his individual and official Capacities as Sheriff of Cook County Jail SALVADOR GODINEZ, in his individual and official Capacities as Executive Director of the Cook County Jail And CHESTER Plaxico, in his individual and official Capacities as Superintendent of Division 10 & Division 2.

The Plaintiff, is a Citizen of the State of Illinois, born December 26, 1952. He is indigents, and he is a pretrial detainee. Currently in the Custody of Cook County Jail located at 2600 S. California Avenue Chicago, Illinois. The Plaintiff was admitted to the Cook County Jail Division 8, R.I.U. On September 7, 2004 around September 21, 2004 he was transferred to Division 11 until September, 2006 he was transferred to Division 1. In July 2007, he was transferred to Division 10 until September 24, 2007 he was transferred to CerMax Hospital for one day. On September 25, 2007 he was transferred to Division 8 R.I.U. until Oct. 16, 2007 he was transferred back to Division 1. until Nov. 2, 2007 he was transferred back to Division 10, where the Plaintiff is currently being held and has remained in custody during the time of the events set forth in this Complaint which pertaining to illegal Lock-down, Psychiatric Patients, and in humane Conditions, and unsanitary living Conditions. The deprivation of the basis human needs.

Revised 5/2007

On February 13, 2007 Division 1 2-G were put on lock-down. On February 14, 2007 the Superintendent Villavieja, came on G-2 Tier and made an announcement, he said: That the new Director Godinez, was trying something new, an official lock-down, which one side come out in the morning and the other side come out in the after-noon. On February 16, 2007 neither side come out, this lasted for around a week, and we went back on the 18 & 6 lock-down. Around 2 weeks later the division 1 Superintendent Villavieja, came back on G-2 deck and made another announcement, he said: The lock-down were illegal, psychiatric patients aren't supposed to be on lock-down, that he has to take us off lock-down. The detainees were immediately taken off the lock-down.

On June 20, 2007 the detainees on 2-G deck were put back on the illegal lock-down 18 & 6. For example, one side of the deck come out in the morning for around 4 and a half to 5 hours. The opposing side come out in the after-noon and treating the same way. On June 22, 2007 the deck officer told the detainees it's would be an official 23 & 1 lock-down, due to an incident, that happened in division 10. We remained on the official 23 & 1 lock-down until July 6, 2007, and we went back to the 18 & 6 lock-down. The Division 1 was built in 1929, and has fallen below the Constitutional Standard don't too much of anything work proper. Two detainees is placed into an unsanitary cell built for one person. The cell is around 35 square feet in space, and there no mirrors on the wall. And inadequate Ventilation and lighting systems. There are rats and mice's crawling all over our commissary, causing our food to be contaminated. We are being locked into these cells an average of 18 hours a day, And force to breath the heavy smoke from the milk cartons the psychiatric patients use to cook with and to heat up water for their coffee, etc.

from June 20, until July 9, 2007. I witness to screaming, yelling at all hours, beating on the steel walls and steel toilets. The psychiatric patients slamming their property boxes against the metal walls and floor. And urinating on the Cat-walks. The noise raised to an level of unconstitutional standards where you couldn't sleep or concentrate. I also witness to 5 attempted suicide where the detainees attempted to hang their selves or cut their wrist in their cells, usually their celly would called for the officer and the detainee is taken away, and never seen again in most case, and sometime they are assigned back to the same cell. I also witness to detainees requested for psy-evaluation everyday, some were seen and some was not seen. I requested for an evaluation for over a months and were never seen by the requests. personally, I suffer from depression and psychosis, and sometime it hard for me to deal with being locked into a close place. I Can't sleep at night and the paranoid set in where I started hallucinating, where the mind started playing tricks on me. For example, several nights in my cell I witness to men standing over me with guns, seeing things that is not really there. The lack of adequate mental health services contributes to the detainees suffering and at times causes suicide and self-mutilation by the detainees. I wrote grievance on these issues. On July 9, 2007 we were transferred from Division 1 to Division 10, and immediately put back on 18 & 6 lock-down. In Division 10 the lock-down is a bit different for example, one side of the deck came out around 7:30 or 8:00 A.M in the morning. The officers usually take their lunch-brakes around 10 A.M. in the morning time and locked the detainees back in their cells when they go on their lunch-brakes. When the officers returned from their lunch-brake usually a hour later, and sometime even longer. He let the same side back out again for the remained time.

Which lock-up is usually around 1:30 P.M. The opposed side come out in the after-noon usually around 3:30 or 4:00 P.M. When the officer take his lunch-break, he locked the detainees back in their cells, and when he returned, he usually let the detainees back out of their cells for the remained time, which lock-up time for the night is usually around 9:00 to 9:30 P.M. When we first got to Division 10 2-D deck on July 9 2007 we didn't always get all of our medications until around 2 weeks later. Around 2 days in Division 10, one of the detainee walks out of his cell when the officer open his door to served him his dinner. The detainee tried to explained to the officer that we has not had our medications. Officer Shaw, called 10-10 and a lot of officers came to the scene along with the Superintendent Salazar. The Superintendent Salazar, ordered the officers to locked the detainees up in their cells. That same night mostly all of the detainees freaked out, the cells were flooding, urin, water, and human wastes were all over the place. The female third shift officer called for help, a couple of officers came to the scene, and didn't do any good and a couple of sergeants. Captain Gomez, came right after the sergeant. The detainees attempted to explained to the Captain Gomez, that we have not had our medications. Captian Gomez, called his Supervisor. The Captain said, his Supervisor said he will have a nurse to bring our medicine to us between 7:30 & 8:00 A.M. later on that morning. The nurse didn't show-up until around noon that day and she still didn't have all of the detainees medicine. She said, she was new in that area and it would take her a while to get the medications together. I take 6 different type of medications as following: Proscar, flomat, Traridone, prozac, pain pills, and Sulfasalazine. Without this medications and can not function proper. Everyone on 2-D deck take some type of psy-meds, except a few, who take medicine for their psycial health. Anyway.

We asked the Captain Gomez, Could we get some cleaning supplies to clean up the cells and the day-room floor? Captain Gomez, said, he would have the first shift officer to bring us some cleaning supplies. Breakfast arrived around 4:00 Am and we had to eat our food in the dirty cells. The supplies did not arrived until around noon that day. Division 1, and Division 10 is a Maximum Divisions. During the month July through September 23, 2007 I was on D-2 deck in Division 10. The detainees didn't always get their daily doses of medications on the daily basis. The nurses usually came on the deck every day and medicated the side that is on lock-down, and the opposed side didn't always get medicated. For example, the side that was not on lock-down, and if the detainees did not come out of their cells that day the nurses usually wouldn't give the detainees their medicine. Especially nurse Lozano, he would never give the detainees their medicine, if they stayed in their cells. On August 19, 2007 I wrote a grievance on Mr. Lozano, for denied me my medications. I take 6 different types of medications, and one of them is Traridone, which is a sleeping medication, so I am not always able to come out of my cell. On several occasions nurse Lozano, passed my cell without given me my daily doses. Two times in the month August 2007, each time I shouted out of my cell to the nurse, I said, Nurse could I please get my medications, that it's a necessary." Both times he ignored my cry. In September 2007 he attempted to passed my cell again. Detainee Bree Williams, said sir, is you going to give Mr. Harrison, his medicine? I jumped up from my bed and ran to the door, I saw the nurse as he passed by. I shouted out again, "I need my medicine", he ignored my cry.

a D is a medical deck with psychiatric patients and people with serious health problems. We expected for the nurses to give us our medications under those circumstances. I asked Mr. Lozano, why he didn't medicate the detainees when they stayed in their cells? He said, you supposed to come out. I told the nurse I was not always able to come out of the cell. In the month of August of 2007, I spoke to nurse Ferguson, when he came on the 2D deck to bring our medications. I told nurse Ferguson about the nurses not giving us our medications, if we didn't come out of our cells. Nurse Ferguson said, "they don't supposed to come on the deck to bring us our medications, not even with the security because it was against their policy, that the security asked them to do them a favor, to bring the medicine on deck." He said we were psychiatric patients, that we don't supposed to be on lock-down, that we supposed to be out of our cells to come into the inter-lock one by one to get our medications." He went on to say, if anything were to happen to him while he was on the deck, that he would be in big trouble for going against the policy."

On August 6, 2007 I filed a grievance against the County. I asked County who gave them permission to put mental disorder patient on lock-down? I went on to say, Superintendent Villavieja, and the psychiatrist doctor Menize said themselves, psychiatric patient don't supposed to be put on lock-down. and the book: Litigation Guide for inmates Safe says: Detainees, or inmates aren't supposed to be placed in segregation or placed on lock-down without approval from a psychiatrist doctor. On August 10, 2007 the Superintendent Chester Plaxico, for Division 10 response states: Be advised that the half tier out procedure was instituted by P/Supt. with the full knowledge of the Directors, if your medical condition

does require special-housing there is a medical Division and a Hospital for that purpose Sign Supt. C. Plaxico. On August 10, 2007 I appeal to his answer. I said the Superintendent, is in the wrong, that psychiatric patients don't supposed to be on lock-down, Myself personal, I will take you to Court on this issue, that my medical Condition, that my medical Condition does requires Special-housing, send me to that medical division or Hospital. On October 2, 2007 the Superintendent last response to the appeal it states: "Original response to stand". On August 15, 2007 I wrote a grievance on the officer for abandoning the deck. Every day the officer locked the detainees in their cells, and go on his lunch break for a hour and, sometime even longer, leave the deck unattended. My concern, was, what if something was to happen while the officer was gone. For example, if someone was to be assaulted by their cell-mate, or have a heart attack, or seizure, etc. Who would come to the detainee aid? The cells is not equipped with a panic button, or any instrument for summoning help in case of an emergency. I also went on to say, I've noticed that the officers never come on the walks at night, except for count-time. The truth be told we have been exposed to a substantial risk of serious harm, and we are continues to be exposed. On October 17, 2007 the Superintendent Plaxico, response states: Be advised that reliefs for lunch-lock up times, etc. Are purely Security matters if you feel a particular officer is taking excessive time, bring this issue to the Sargeant of your area first, if necessary I will get involved Sign Supt C. Plaxico. In September 2007 the director changed the lock-down procedure. For example, one side come out in the morning between 7:30 A.M. The officer take his lunch break around 10:00 to 10:30 A.M. He locked the detainees back in to their cells.

The officer usually returned around a hour later, then he let the opposed side out of their cells. They stayed out until lock-up time, which is around 1:30 P.M. then the detainees is locked back into their cells. At 3:00 P.M. the second shift came on. The side that was let out first that morning is let out first in the afternoon, which is around 3:30 P.M. The officer usually take his lunch-brake around 5:30 P.M. and he locked the detainees back in their cells. When the C/O returned from his lunch-brake, he let the opposed side out. The opposed side stayed out until lock-up time for the night, which is around 9:00 P.M. the detainees is locked back into their cells until the next day. I was told the reason they changed the procedure, so both sides would be able to come out in the morning and evening.

Around the end of September or the first of October 2007 the officer started letting the lock-down side out of their cells when the nurse bring the medicine, so the detainees could go into the enter-lock 1-by-1 to get their medicine, then the detainees would returned back to their cells to be locked back-up.

There was nothing posted in the division 1, that indicate the official lock-down. I was in the division 1 for around a year and I been in the division 10 for around 6 months. Between these 2 divisions I've experiences a long-term imposition on a basic human needs, for the whole year I was in the division. I was deprived of hot water. There was never any hot water in division one. If you was happened to be the first one to take a shower in the morning when the doors first roll you may be lucky enough to get a 5 mintues warm shower, then the water immediately turn ice cold especically in the winter time it stayed cold for the rest of the day. I've witness to a lot of fights over the shower. When the cell door open the race was on, trying to be the first man in to the shower. Peoples running over peoples, and knocking people down, often resulted into fights. In the winter time some of the detainees on 2-G deck never took a shower, and some time resulted into the deck going up, and everyones would be fighting, because some of the detainees, would attempt to force other detainees into the shower. The smell on the deck were unbarely. I wrote number of grievance's and appeals pretaining to this issue and they was never addressed for example: On 9/26/06 I filed a grievance requesting that the hot water in the shower be fixed. On the 9/29/06 the Superintendent Villavaneva, response states: Workorder have been submitted and will continues to be submitted until all plumbics is fixed.

On 10/14/06 I filed a grievance requesting that the hot water be fixed, that the Shower was Cold as ice, and to Clean the areas, that it was unsanitary for sick people. On 10/19/06 the Superintendent Villeuneva response States: All workorders have been submitted will be cleaned daily. On 10/25/06 I filed a grievance requesting, that the hot water be fixed, that the Shower was like ice. On 10/31/06 The Superintendent Villeuneva, response States: Workorder have been Submitted.

On 10/27/06 I filed a grievance requesting, that the laundry Sinks be fixed and some type of appliances to wash our Clothings, or laundry Services. And more hygine Supplies. On 11/2/06 The Superintendent Villeuneva response States: New washers and dryers will be installed, Supplies will be delivered. On 3/11/07 I filed a grievance States: Divison 1 tier is a medical deck, and it don't have any hot water in the Shower or rooms. G 2 is unsanitary for sick people. I've written numerous grievances on this issue before and the response was "a workorder has been Submitted to fix the hot water" and that was last year 2006. Until today March 12, 2007, the hot water has not been fixed. The Illinois States: living Condition Code 4 States: A Shower supposed to required piped hot and Cold water for every eight occupants. Another Violation of the detainees Civil rights. And half of the tier signed it. On 3/23/07 The Superintendent Villeuneva response States: Inmates Continues to wash cloths deprive's the hot water. New Cleaning Supplies was issued to all tiers, then is power washed weekly. I filed a grievance in July 2007 States: There is no hot water in the shower and it is filthy with rust hanging from the Ceiling, thick scum on the walls bugs and all kind of traps is on the Shower floor. In June, 07 we showed officer Escamilla, the bugs and we spoke to Sargeant Barton, about this condition in June and he said he would bring some Cleaning Supplies. Today is July 6, 2007 and we still haven't received any Cleaning gas. This constitutes a denial of our personal hygiene. Requesting the hot water to be fixed and bring us some Cleaning gas. I had a double hernia surgery on September 2nd, 2007 and I was transferred back to the divison 1. 1-B tier on October 16, 2007. There was no heat on the tier.

1-B are any hot water. On September 24, 2007 Dr. Khan, told me to take a shower every day after surgery. The division 1 tier 1-B deprived me from taking a shower. On 10/22/07 I filed a grievance. Status: There is no hot water or heat on this deck. The shower is filthy, that I take psymeds, and medicine for my physical illness on the daily basis, and I supposed to be on a medical deck, that this is not fit for sick people's. I -B only have but one shower and the water is cold. This is a threat to my safety and well-being. It's detainees on this deck who never take showers, due to the condition, which constitutes a denial of personal hygiene. I filed grievances on this issue last year. The response Status: Problem is being addressed by the management.

I filed numerous of grievances pertaining to this issue, I wrote letters to the Sheriff, directors, Superintendent, and the director. I also spoke to the inspector, when he came on the tier around January 2007, he made a joke about the hot water. He said, the first dog get the bone, as I was he states: the early bird... get the worm. Despite all of that there is still no hot water in the division 1 of today 10/28/2007. Sergeant Taylor, came to the division 1, 2-6 deck around february 2007. I complained to him about the hot water, and about what the grievance responses usually states: A workorder had been submitted to fix the hot water. Sergeant Taylor, said don't believe what any tell you about fixing the hot water, he said the hot water can't be fixed, that the steams come from some where else, that the division 10 don't have a hot water system.

Denial access to laundry services for around 2 years. I was in the division 11. from September 2004 until September 2006. There, we had access to a closet sink to wash out white in, a table to press them on, and rails to hang them on to dry. Since September 2006 I been denied access to any type of appliances and supplies to do my laundry. for example, division 1 and division 10 don't have an adequate sink, nor a table to do our laundry. We are force to wash our whites in the toilets or a sink where everyone base, and brath their teeth in. The sinks leaks and caused water to stand on the floor at all time. And if we make a cloth line to hang our whites on, the officials would come in, tared down the lines and throused our clothings on the floor.

The Ventilation Systems in the division 1, and the division 10 is inadequate. I filed number of grievances in the division 1. Pertaining to this issue. On March, 14/07 I complained about the Cells being too hot, and requested for the window to be open, and to cut the heat down. On 3/23/07 the Summary of request States: Detainee is Complaining about heat adjustment, need to be adjusted. On March 28, 2007 Response States: It's get Cold at night window are leave Closed. I wrote a letter to Supt. Villanueva, on 2-27-07 Pertaining about the heat on Sept 3, 2007 I filed a grievance in the division 10 States: In the Cells on the low-side the Ventilation Systems are not provide Adequate air on the inside of the Cells, there is No air Coming out of the Vent in my Cell, that I have a hard time breathing on the inside of my Cell no #. 11. We detainees on D-2 deck had brought this issue to the Superintendent Plaxico, attention in July 2007 when we first got to the division 10 when he came on the deck. We told Mr. Plaxico that the air wasn't working proper on the inside of the Cells on the low-side. He said the air is working in the Cells. I asked him to take a look on the inside of the Cell? He simple said, We've have bigger issues than that. His Response States: I don't remember saying that we've have bigger issues than that. The Superintendent came back on D-2 deck again around the end of September 2007. I spoke to him again about the air not working in my Cell, I asked him to open the Cell door to check it out? He open the door and said, the air is working in here. I said, no it not. He took a book off the bed and put a piece of toilet paper on it, and held it up in front of the Vent to see would the air move it, and it didn't move. He said you right the Vent don't work. I said, what are you going to do about it? He said nothing, that your Cell is the only one is not working. I said, no sir, there other Cells on this side is not working. I asked him to open some more doors to check the other Cells out, he just walk away.

All the Cells in the division 1, and the division 10 is heavily stained, ceiling and walls due to detainees Cooking with milk Cartons on the inside of their Cells. The Ventilation Systems is very poor until almost none exstent Causing high temperatures, excessive smoke, dust, and particles in the air, it's worse than being inside a burning house. farce to breath the heavy Carbonmynoxide

Which caused headache, dizziness, weakness, Shorter of breath, and burning watery eyes. This kind of environment constitutes a serious threat to the detainees physical and mental well-being. The detainees also use plastic when cooking with the milk cartons to make the flame last longer. This type of cooking is done on the daily basis. Usually, all tier officer allowed this type of cooking, but not always the Supervisor. For example: On November 30, 2007 around 7:30 p.m I was Seated in the rear of the day-room and my Celly was inside the Cell. I saw Sergeant Mason entered 2-C deck carrying a fire exstinter in his hand. Some of the detainees were cooking with milk cartons on the inside on the steel desk. I saw the Sargeant spray the fire exstinter into those rooms where the detainees were cooking. I do not have a property box in my room to storaged my Legal materials in, so I am force to placed some of the legal materials on the inside of the doorless desk. When the door rolled that night for lock-up, I went into my room and I noticed my legal papers storaged inside the desk were wet. I took them out of the desk and lied them on my bed to dried. Afterward I noticed some of the paper was not savable. I filed a grievance on that incident. On November 30, 2007 it states: I am Pro se, in my Criminal Case, it took me months of research to prepared some of this legal materials. I realized that it may be justifie for a Sargeant to spray a fire exstinter into a cell where a flame are, myself personal, I am against that type of cooking with milk cartons, because food that are prepared and served under those condition, we face a constant risk of contracting any number of food borne diseases and lungs cancer. I also know cooking with milk cartons is not new in the Cook County Jail, it been going on every since time. I was in the County Jail in the 80's and 90's they used milk cartons then to cook with in almost every division except division 9 and division 14. I wondering have the adequate measure been taken to desolved this problem. We are in a maximum security unite, and some detainees been here for years. I think this Jail should be lower to account for these long-terms confinement, nevertheless the County allowed ARAMARK to sale stuff on the commissary that needed cooking or heating up. for example, Coffee, Chuclate, Tea bage, pepperoni, Sausage, Tortills, peffied beans, Spice Refried beans, and pre cooked rices, etc.

I think long-terms should be Commendation and to be Considering giving detainees access to some type of cooking device like they have in prison and some Jails Coffee pots, hot pots or microwave. If you don't allowed access to these kind of cooking device, please Considering move me to division 8, so I want be a part of this none sense. I will be 55 years old soon, and I do care about my health.

I wrote a letter to the Sheriff Thomas Dart, on Dec. 26, 2007 States: Dear Thomas Dart, I am writing this letter pertaining to my health condition. My name is Bobby Lee Harrison, I am 55 years old I take 6 difference type of medication on a daily basis for my physical and mental illnesses. I am housed in the Division 10 2c deck which supposed to be a medical deck. I suffering from a breathing problem. The cooking with milk cartons on the deck is effected my health. The heavy smoke caused me headache, runny eyes and chest pain. I don't know how long I going to be able to take it. I've been incarcerated a little over three years. Will you please Considering move me to the division 8 where they don't use milk cartons to cook with. Thank you for your time and for Considering this matter. I look forward in hearing from you soon. Sincerely Bobby Lee Harrison

I wrote a nuther letter to Thomas Dart on January 12, 2007 pertaining to the same issue no response. I was seen in the division 10 dispensary in November 2007 for my breathing problem. There, I spoke to Dr Dunlap, and she prescribed me some medication for my problem. On December 31, 2007 I filed a grievance complaining about my breathing and heavy smoke, it states: pertaining to unclean air. I am 55 years old and I am housed on 2c deck which supposed to be a medical deck. I have a number of diseases mental & physical. I take 6 type of medication on a daily basis for my illness. I also have a breathing problem. I been to the doctor on several occasions for my breathing condition. The heavy smoke from cooking with milk cartons from on the inside of the cells caused breathing disorder, headache chest pain and runny eyes. I've complained about this issue before. Nevertheless, food that are prepared and served under those condition, we face a constant risk of contracting any number of food borne lungs, cancer, and blood diseases. And can results into mental, psychiatric and emotional disturbance. I am against this type of cooking it is worse than been in the cell with someone who smoke 8 pack of cigarettes a day. Will you please transfer me to division 8 where they don't prepare food this way, because I have enough disease already. on 1/9/2008 the response states: Only medical staff can move a detainee to division 8, It is a medical unit. Staff will monitor more closely for detainees cooking. Sign DAL

We been denied outdoor recreation on a regular basis. From January 2007 until December 2007 I only went outdoor for exercises for around 8 times in 12 months. I've filed several grievance and appeals on this issue around the months of June, July & September 2007, no adequate response. On August 9, 2007 the request states: The division 10 G2 have been denied all access to outdoor exercise for around three months. The last time I had outdoor recreation was around May 2007 in division 1. G2. The G2 deck was transferred from division 1 to division 10 on July 9, 2007. Today is August 6, 2007 and we still have not had any outdoor exercises. Therefore, the health of the individual is threatened with which violate the detainees 14th Amendment rights, please could we get some outdoor exercise. August 9, 2007 the response states: Be advised that the outdoor recreation was cancelled during the July lock-down and again during the period the fence was damaged. Recreations outside was resumed this month and if the weather permitted all tiers will have access to the yards sign Superintendent Plaxico. No outdoors exercise June, July, August, or September. In the month of September 2007 I filed another grievance and appeal because we was not called to go outdoor recreation during the month of August 2007. I complained about being denied outdoor exercise, and I complained about the injuries I have suffered from the deprivation headaches, heart burn, leg-cramps, depression and back problems. And about making a grievance on requests ID. Control #2007 X 1860 States: Be advised that whether it is a grievance or a requests, this issue was addressed, speak with the Sargeant of your area to go to the outside recreations, instead of the gym. Sign Supt. C. Plaxico. On 9/11/07 My appeal states: Sir, We always speak to a officer, and the Sargeant, they usually says it's the Supt. job. Myself and some of the other detainees have already spoken to the Sargeant about this issue. Seem to me, that you need to talk to your own Sargeants, isn't nothing we can do. His last response states: Original response to stand. Personal myself I've spoken to Sargeant Ferris and Sargeant Dark, in the month of September 2007. They said the Superintendent Plaxico, is a big spend master.

Inadequate bedding issued to the detainees is heavily stained and is not cleaned or exchanged when a new detainee is assigned to the cell. The detainee is issued 2 sheets on the new and no mattress cover. The detainee is only allowed to exchange sheets every three to four weeks. The detainee used one of the sheet for a mattress cover, and the other sheet to cover up with. We are being forced to sleep on these unsanitary mattresses without a proper mattress cover. The mattress is old, worn out and heavily stained. They are not cleaned before issued out to the detainees on the new. I have contracted fungal infections, rash, pinworms, and sores. I've been to the doctors in 2006 and 2007 and treated for these diseases. The medicine the doctors prescribed for you doesn't always cure this fungal and is forced to use injections. These rashes always returned usual in the same areas. I filed grievance on this issue in 2007.

Inadequate clothing exchange. In Division one and division 10 we detainees have been deprived of adequate clothing exchanges. We usually change uniforms and sheets every 3 to 4 weeks. I've filed grievances on this issue on several occasions in 2006, and 2007. The grievances I filed in 2006, the officials took them on shake-down. We are being deprived of these elements which have become a threat to our safety and well-being for example, on 8/12/07 I filed a grievance stating: We are being deprived of personal hygiene and sanitary living conditions. The division 10 Tier 20 has not changed clothing towels, and bedding articles since August 2, 2007 and today is 8-12-07 and we still have not changed these articles. It is unconstitutional. May we please get a changing of these articles. Ten other detainees sign the grievance. Our request is Towels, clothing, bedding exchange. 8/16/07 the Superintendent response states: Be advised that P/supt. will ensure an immediate uniform and linen change and also ascertain the reason for lapses in schedule. Sign Supt. C. Plaxica.

I filed a grievance 9/19/07. It states: We detainees on 20 have not changed clothing since September 2, 2007. Consisted of towels, sheets, etc. We have no machine, or appliances to wash our clothing ourselves. I been on A-2 tier for around 70 days and only changed clothing for

around 3 times. This is an denial of basic element. Can we please get our clothing exchanged. Thank you! On 9/25/07 the response states: Be advised that clothing exchanges are done weekly. However a towel shortage and damaged sheet have delayed these exchanges. // Supt. is working diligently to get these full exchanges done on a consistent basis. Sign Supt. C. Plaxico

I filed a grievance on 10/30/07, it states: On October 16, 2007 I was transported from division 8- R.I.U. to division 1- B-1 deck. I've been to clothing exchanges twice since I been in division 1. B-1 deck on October 17 & October 29, 2007. On October 17, 2007 the officer said the only thing you can exchange is 1-sheet 1 towel, that he have no D.O.C. top nor bottom. On October 29, the same thing happened officer Knight said, the only thing you can exchange is 1-sheet, 1-towel, that I have no D.O.C. top nor bottom. Some of the detainees spoke up and said, what the use in us coming down here, if you don't have anything for us to change into? Officer Knight, said this is a procedure, my job is to call you down here whether or not, I have anything for you to change into. The officer, is wrong about that we supposed to have proper clothing exchanges. Without adequate clothing exchanges constitutes an denial of basic element. I had a double hernias surgery a few weeks ago and Dr. Khan, told me to take a shower every day, and to change uniforms, whites every day, if not it can resulted into an infection. On 11/15/07 the response states: Detainee were transferred out of division 1 and is currently in division 10. Detainee will receive clothing exchanges in division 10. Sign Social Worker Ms. Butler.

9/23/06 I filed a grievance and it states: I was transferred from Division 11 to division 1 on 9/15/06 and I have not been issue a towel yet and today is Saturday 9-23/06. I complained to the officers on the first and second shift, officer Yousif, officer Celasar and other officers they says it not their job to give detainees these articles, or used excused like -we don't have any towel, will check on it, or wait until I go down stairs, or we don't issue hygienic articles on the week end. The response was taken on shake down. I've had over 20 grievance taken on shake down. I've also filed grievances on that issue and they denied taking anything.

The Staffs here is not capable aiding the detainees in case of an emergency. There have been many incidents in the Cells where a detainee take sick, get into it with his cell-mate, or have a seizure. On many occasions these type of incidents have occurred for example, on November 27, 2007 around 1 A.M. in the morning this elderly man name Otis Brown, around 47 years old on 2-C tier on the high side in Cell (2307) had a seizure in his sleep while sleeping on the top bunk. He fell to the Cement floor and busted his head, caused serious injury to his eyes and fore head. The elder man cellmate ~~Jewell~~ and the detainee next door Mr. Loydell Roberson, 2006-007-5947 screamed and yelled in a high tone voices for the officer Ms Butler, who were seated in the Inter-lock. The yelling and screaming went on for around 10 minutes, while Mr. Otis, lying unconscious on the floor in his room. Finally officer Butler heard the loud screaming and came to the scene. She called for the emergency back-up. Finally a nurse name a paramedic, and a supervisor arrived around 10 minutes later. They attempt to call for the ambulance. Seen as though they were having difficulty reaching the Ambulance services. When they did finally get through and the time it took for the Ambulance to get to C 2 tier Mr. Otis Brown, had been lying on the floor for around 35 to 40 minutes still unconscious and bleeding from the head. I seen Mr Brown, the next day his whole head was rapped up.

Prior to this incident I had already filed a grievance on 8/15/07 stating what if someone was to be assaulted by their cell-mate or have a heart attack, or a seizure, etc. who would come to the detainees aid? That these Cells is not equipped with a panic button, or any instrument for summoning help in case an emergency. That I also noticed that the officers never come on the walks at night except for count time or to passed out razors. That we have been exposed to a substantial risk of serious harm and continues to be exposed. Until today December 30, 2007 no adequate measure have been taken. (The fact is during the 2007 the medical staffs, and coverage has been cut back due to the budget. The health staffs is over worked undertrained and unqualified to aid in an emergency. Because of the staffs shortages and lack of trained detainees are effectively denied access to evaluations, diagnosis and treatment by qualified health care professionals, such conditions endanger our health and well-being, make unnecessary suffering. The mental health medical decks in division 10 do not have a nurse to sit in and watched over the psychiatric patients. I find that these policies is improperly infringe upon detainees, fundamental rights of Association, privacy, and liberty, which are protected by the first, Ninth, and fourteenth Amendments. The physical environment are grossly inadequate and Constitutionally impermissible.

EXHAUSTED

I have exhausted all available administrative remedies regarding to the matter described in this Complaint. I written letters to difference organizations, Agencies outlining the misconduct and deprivations I've suffered since my incarceration in the Cook County Correction. I've made copies of these various letters that I written and received from difference organizations in an outside the insitution. I've filed numerous of Grievances and appeals pertaining to the deprivations. Unfortunately, I found no relief. I have included photocopying of these letters to be entered as exhibit A. I've also included photocopying of the grievances and appeals to be entered as exhibit B. for proof of my remedies.

A Pary for RELIEF

WHEREFORE: Plaintiff respectfully prays that this Court

- (1) Declare that the and omissions described herein Violated Plaintiff's under the Constitution and the laws of the United States.
- (2) To issue a preliminary injunction requiring the COUNTY OF COOK, ILLINOIS, and THOMAS DART, in his individual and official Capacities as Sheriff of Cook County, Illinois, along with SALVADOR GODINEZ, in his individual and official Capacities as Executive Director of the Cook County Jail and CHESTER PLAXICO, in his individual and official Capacities as Superintendent of division 10 & 2 of the Cook County Jail. To order these defendants to take the psychiatric patients off the illegal lock-down in division 10 medical decks, and to order whatever medicine, psychiatric or psychological treatment needs. And to fix whatever Correction needed to make the division 10 medical decks safe and to meet the Constitutional minimum requirement standards for psychiatric Patients.
- (3) I am bring this Prose Civil right case to the U.S. District Court to be Certified as a Class under rules 23 (a) F.R. Civ-P for all the detainees who are housing in division 10 medical, medical decks for now or in the future that may be incarcerated in division 10 medical decks seeking damages for the deprivations, emotional, psychological and physical injuries. The defendants should be held liable for damages for the abuse and for the deprivations that the Plaintiffs has suffered and continues to suffer, in their individual Capacity jointly and severally.
- (4) To be appoint a lawyer to Amend the Complaint to change into a Class, and to calculate the amount sue for. Trial by Jury demanded. To be award Compensatory, Nominal, and Punitive damages for whatever proper under these Circumstances. The reasonable amount Attorney fees. All Court cost and any other relief that the Court deems just, proper equitable. If not calculated by the Court or Lawyer for the amount sued for in the class, my prize is 20,000,000 for the class (Twenty millions)

CERTIFICATION

By signing this Complaint, I Certify that the fact stated in this Complaint are true to the best of my Knowledge, information and belief. I understand that if this Certification is not correct, I may be Subject to Sanctions by the Court. Signed this First Monday of January 2008.

Signature of Plaintiff or plaintiffs Bobby Lee Harrison

Bobby Lee Harrison. ID 20040072842
Cook County Department of Correction
P.O. Box 089002
Chicago, Illinois 60608.

If this Court do not certify this case as a class, I will still be seeking a preliminary injunction and damages from the same above defendants in their individual and official capacities, Jury by Trial, to be appoint a lawyer, and to be award Compensatory damages in the amount of \$475,000 dollars, punitive damages in the amount of \$50,000 dollars, and nominal damages in the amount of 10,000 dollars.

The reasonable amount of Attorney fees, all Court costs, filed fees, and any other relief that this Court have to offer.

CERTIFICATION

By Signing this Complaint, I Certify that the fact stated in this Complaint are true to the best of my Knowledge, information and belief. I understand that if this Certification is not correct, I may be Subject to Sanctions by the Court.

Signed this First 02 day of January 2008.

Bobby Lee Harrison
Print

Bobby Lee Harrison
Signature of Plaintiff